

Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number	FOR COURT USE ONLY
A. Cisneros, CHAPTER 7 TRUSTEE 3403 Tenth Street, Suite 711 Riverside, CA 92501 Phone: (909) 328-3124 Fax: (909) 682-9707	FILED 01 MAY 31 AM 9:01 CLERK U.S. BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA	BY: <u> </u> DEPUTY
In re: DONALD STEVEN CUDDIGAN, et. al.,	CASE NO.: RS 00-14749 MG

NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: JUNE 15, 2001	Time: 10:00 a.m.
Location: Malcolm, Cisneros & Houser, 5 Park Plaza, Suite 830, Irvine, California, 92614	

Type of Sale: ☒ Public ☐ Private Last date to file objections: June 13, 2001

Description of Property to be Sold: Vacant Lot located in Big Bear City, San Bernardino, California, APN

Terms and Conditions of Sale: All Cash

Proposed Sale Price: \$25,000

Overbid Procedure (If Any): Please contact Denise Weiss, Trustee's Administrator @ (949) 252-9400 for Overbid Procedures

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Hearing Only if Objections are filed.

Contact Personal for Potential Bidders (include name, address, telephone, fax and/or e-mail address):

Denise Weiss, Trustee's Administrator
5 Park Plaza, Suite 830
Irvine, CA 92614
(949) 252-9400, Fax: (949) 252-1032
e-mail: Denise@mch-law.com

Date: **MAY 30 2001**

1 A. CISNEROS, TRUSTEE
2 3403 Tenth Street
3 Suite 711
4 Riverside, California 92501
5 Telephone: (909) 682-9705
6 Telecopier: (909) 682-9707

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8
9 CHAPTER 7 TRUSTEE

10 UNITED STATES BANKRUPTCY COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 RIVERSIDE DIVISION

13 In re) Case No. RS 00-14749 MG
14)
15 DONALD STEVEN CUDDIGAN aka) [Chapter 7]
16 STEVE CUDDIGAN and JUDY ANN)
17 CUDDIGAN aka JUDY A. BROWN,) NOTICE OF TRUSTEE'S INTENT TO SELL
18) REAL PROPERTY FREE AND CLEAR OF
19 Debtors.) LIENS PURSUANT TO BANKRUPTCY CODE
20) SECTIONS 363(b)(1) AND (f), AND
21) AUTHORIZING PAYMENT OF REAL ESTATE
22) BROKER COMMISSIONS
23)
24) [Vacant Lot located in Big Bear
City, San Bernardino County,
California, APN 0314-581-17]
No Hearing Required Pursuant to
Local Bankruptcy Rule 9013-
1(g)(1)(A)
Sale Information:
Date: June 15, 2001
Time: 10:00 a.m.
Place: MALCOLM, CISNEROS & HOUSER
Jamboree Center
5 Park Plaza, Suite 830
Irvine, CA 92614

25 TO ALL CREDITORS AND OTHER PARTIES IN INTEREST:

26 PLEASE TAKE NOTICE that, pursuant to 11 U.S.C. § 363(b)(1)
27 and (f), and Local Bankruptcy Rule 9013-1(g)(1)(A), A. Cisneros, the
28 undersigned, duly qualified and acting Chapter 7 Trustee ("Trustee")

COPY

1 for the bankruptcy estate of DONALD STEVEN CUDDIGAN aka STEVE
2 CUDDIGAN and JUDY ANN CUDDIGAN aka JUDY A. BROWN ("Debtors"), Chapter
3 7 Case No. RS 00-14749 MG intends to and will sell real property of
4 the estate and pay real estate broker commissions as allowed pursuant
5 to the Order Authorizing Trustee to Employ Real Estate Broker.

6 The Trustee has received an offer from TERRISH TRUST
7 ("Buyer") to purchase the Estate's interest in a vacant Lot located
8 in Big Bear City, San Bernardino County, California, APN 0314-581-17
9 ("Property") for the total purchase price of Twenty-Five Thousand and
10 00/100 Dollars (\$25,000.

11 For further information please see the Trustee's Motion on
12 file, reference to which is hereby made for further particulars. You
13 may obtain a copy of the Motion by (1) contacting Denise Weiss at the
14 office of the Trustee at the address and phone number listed in the
15 upper left-hand corner of this document, or (2) contacting the Clerk
16 of the Court located at 3420 Twelfth Street, Riverside, California
17 92501.

18 Upon Bankruptcy Court approval, the sale of the Property
19 shall be subject to the following overbid procedures:

20 i. Potential overbidders must bid an initial amount
21 of at least Five Hundred and 00/100 Dollars (\$500) over the
22 Purchase Price offered by the Buyer with such cash to be
23 applied towards the down payment. Thus, the initial
24 overbid must provide a minimum of Twenty-Five Thousand Five
25 Hundred and 00/100 Dollars (\$25,500) for the purchase of
26 the Property. Minimum bid increments thereafter shall also
27 be \$500.
28

1 ii. Overbids must be in writing and be received by
2 the Trustee within fifteen (15) days of the date of this
3 notice. Therefore, any and all overbids must actually be
4 received by the Trustee on or before 5:00 p.m. on June 13,
5 2001.

6 iii. Overbids must be accompanied by certified funds
7 in an amount equal to ten percent (10%) of the overbid
8 purchase price (the "Overbidder's Deposit"). In the event
9 the successful overbidder fails to timely close escrow by
10 reason of the successful overbidder's failure to
11 immediately and unconditionally pay the Purchase Price as
12 increased by overbid in cash or certified funds at close of
13 escrow, the Overbidder's Deposit shall be non-refundable
14 and the Trustee shall be released from his obligation to
15 sell the Property to the successful overbidder.

16 iv. The overbidder must seek to acquire the Property
17 on terms and conditions not less favorable to the Debtors
18 bankruptcy estate than the terms and conditions to which
19 the Buyer has agreed to purchase the Property as set forth
20 in the Purchase and Sale Agreement, including, without
21 limitation to, the provision that competing bids must be on
22 an all-cash basis, and any competing bidder must be
23 obligated to perform within the same time that the Buyer
24 would be obligated to perform under the Purchase and Sale
25 Agreement

26 v. The Buyer's Deposit and any unsuccessful
27 overbidders' deposit that is otherwise refundable shall be
28 refunded within ten (10) days of the final bidding round.

1 NOTICE IS FURTHER GIVEN that Local Bankruptcy Rule 9013-
2 1(7) requires that any response and request for hearing shall be
3 filed within fifteen (15) days of the date of this notice, and served
4 upon the Office of the United States Trustee at 3420 Twelfth Street,
5 Suite 200, Riverside, California 92501-3837, and upon the Trustee at
6 the address provided in the upper left-hand corner of this document.

7 Unless a timely response and/or request for hearing is
8 filed and served as required by Rule 9013-1(7), the sale shall take
9 place at the above captioned date, time and location.

10 Failure to timely file and serve an objection and or
11 response may result in a waiver of your right to oppose this motion
12 and the Court may grant the requested relief.

13
14 Dated: May 26, 2001


A. CISNEROS, Trustee

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16 Date of Mailing: May 29, 2001
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1 PROOF OF SERVICE

2 [U.S. Bankruptcy Court, Central District, Local Rule 7004-1(2)]

3 I am employed by the law firm of Malcolm, Cisneros & Houser in the County of Orange,
4 State of California. I am over the age of 18 and not a party to the within action. My business
address is 5 Park Plaza, Suite 830, Irvine, California 92614.

5 On May 29, 2001 I caused to be served the document entitled:

6 NOTICE OF TRUSTEE'S INTENT TO SELL REAL PROPERTY FREE AND CLEAR OF
7 LIENS PURSUANT TO BANKRUPTCY CODE SECTIONS 363(b)(1) AND (f), AND
AUTHORIZING PAYMENT OF REAL ESTATE BROKER COMMISSIONS

8 [Vacant Lot located in Big Bear City, San Bernardino County,
9 California, APN 0314-581-17]

10 on the following interested parties:

11 SEE ATTACHED SERVICE LIST

12 ☒ (By Mail) I caused each envelope, with postage prepaid, to be placed in the United
13 States mail at Irvine, California.

14 ☐ (By Hand) I caused each envelope to be delivered by hand.

15 ☐ (By Overnight Courier) I caused each envelope, with postage prepaid, to be sent by
16 Federal Express/ Express Mail.

17 ☐ (By Facsimile Transmission) I caused each document to be sent by automatic
18 facsimile transmission to the following telephone numbers and confirmed by voice
communication that the transmission was received:

19 I declare under penalty of perjury that I am a employed in the office of a member of the
20 bar of this Court at whose direction service was made and that the foregoing is true and
21 correct and that this declaration was executed on the date indicated below at Irvine,
California.

22 Dated: May 29, 2001

Denise Weiss
DENISE WEISS